

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PAUL MATHIS,
Plaintiff,

v.

**CHRISTIAN HEATING AND AIR
CONDITIONING, INC.,**
Defendant.

CIVIL ACTION

NO. 13-3740

O R D E R

AND NOW, this 12th day of March, 2015, upon consideration of Plaintiff's Motion for Clarification of the Court's Memorandum and Opinion Regarding Defendant's Motion to Dismiss (ECF No. 15) (Document No. 20, filed February 20, 2015); Answer of Defendant Christian Heating & Air Conditioning, Inc. to Plaintiff's Motion for Clarification (Document No. 21, filed February 27, 2015); Plaintiff's Reply Memorandum of Law in Further Support of Motion for Clarification of the Court's Memorandum and Opinion Regarding Defendant's Motion to Dismiss (ECF No. 15) (Document No. 24, filed March 2, 2015); Defendant Christian Heating and Air Conditioning, Inc.'s Motion to Dismiss Pursuant to Rule 12(b)(6) (Document No. 10, filed October 1, 2013); Plaintiff's Memorandum of Law in Opposition to Defendant's Motion to Dismiss (Document No. 12, filed October 8, 2013); and Reply Memorandum of Defendant Christina Heating & Air Conditioning, Inc. in Support of Rule 12(b)(6) Motion to Dismiss (Document No. 13, filed October 15, 2013), for the reasons stated in the attached Memorandum dated March 12, 2015, **IT IS ORDERED** as follows:

1. Plaintiff's Motion for Clarification, treated as a Motion for Reconsideration, is

GRANTED;

2. The October 7, 2014 Memorandum (Document No. 15) and Order (Document No.

16) are **VACATED**; and

3. Defendant's Motion to Dismiss Pursuant to Rule 12(b)(6) is **DENIED**.

BY THE COURT:

/s/ Hon. Jan E. DuBois
DuBOIS, JAN E., J.